

REMARKS

The Office Action dated April 6, 2005, has been carefully reviewed and the following remarks are submitted in response thereto. Claims 1, 3-12, 14, 15, and 17 are pending in the application.

The rejection of claims 1, 3-12, 14, 15, and 17 under 35 USC 102(e) as being unpatentable over Xu et al (US publication 2002/0122416A1) is respectfully traversed.

The application on which Xu et al '416 is based (Serial No. 10/077,205) was filed on February 15, 2002, which is after the filing date of the present application. The application was a continuation-in-part of earlier applications 09/788,865 (publication 2002/0114319A1), 09/819492 (publication 2002/0141384A1), and 09/977,438 (publication 2002/0114322A1), each of which was filed prior to the present application.

The rejection relies primarily on portions of Xu et al '416 for which there is no corresponding disclosure in the parent applications. The rejection specifically refers to Figures 2b, 5a, and 5b and to paragraphs 0062-0065, 0069, 0070, and 0072 which appear only in Xu et al '416. Since the disclosure relied on was new matter to the application that was filed after the present application, it does not constitute available prior art. Since these non-prior art portions of Xu et al '416 are an integral part of the rejections as stated against each pending claim, the rejection is improper.

In view of the foregoing amendment and remarks, claims 1, 3-12, 14, 15, and 17 are now in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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